

NOTICE OF FINAL DECISION TO TERMINATE A HAZARDOUS WASTE MANAGEMENT PERMIT UNDER THE TENNESSEE HAZARDOUS WASTE MANAGEMENT ACT

The Tennessee Department of Environment and Conservation's (TDEC) Division of Solid Waste Management (Division) has made a final decision, effective September 20, 2007, to terminate a hazardous waste management permit (Permit Number: TNHW-100, EPA Identification Number: TNR 00 000 6981) issued to Foster Wheeler Environmental Corporation (FWENC) for the Transuranic (TRU) Waste Remediation Facility, located in Lenoir City, Roane County, Tennessee. This decision is based on the permittee's decision to terminate the container storage units, as per the request letter dated March 21, 2006. This action follows a 45-day public comment period which ended on August 27, 2007. No comments were received from the public. This decision can be appealed pursuant to the Hazardous Waste Management Act, T.C.A. §68-212-113 and Rule 1200-1-11-.07(7)(k).

The hazardous waste permit (TNHW-100) was issued on September 30, 1999 and was valid for ten years for the treatment and storage of mixed (hazardous and radioactive) waste in container, tanks, and miscellaneous units. Through two subsequent Class ¹ Permit Modifications, the tanks and miscellaneous units were removed from the permit and one container storage unit was added. The total container storage capacity was 17,000 gallons.

On March 21, 2006, FWENC submitted a Notice of Intent to close the container storage units. No operations associated with the container storage units were ever conducted under the permit. On January 25, 2007, the Division approved a Class 2 Permit Modification to include FWENC as a co-operator on the U.S. Department of Energy's (DOE) Oak Ridge National Laboratory's (ORNL), EPA Identification Number: TN1 89 009 0003, hazardous waste permit (TNHW-097). The TRU Waste Remediation Facility, which is now referred to as the TRU Waste Processing Facility, will be operated under Permit Number TNHW-097. On May 9, 2007, the Division conducted an inspection to verify that no releases had occurred at the facility so that Permit Number: TNHW-100 could be terminated.

This action does not affect the corrective action requirements. The U.S. DOE's Corrective Action Permit (TNHW-121) for the Oak Ridge Reservation (which encompasses ORNL, the East Tennessee Technology Park (ETTP), the Y-12 National Security Complex, and any other associated areas) has been modified to include the TRU Waste Processing Facility.

The Notice of Termination and the [Response to Comments](#) are available for review at any of the following locations: TDEC's Knoxville Environmental Field Office, Public Access Area, 3711 Middlebrook Pike, Knoxville, TN 37921 (865-594-6035); Oak Ridge Public Library, Civic Center, 1401 Oak Ridge Turnpike, Oak Ridge, TN (865-425-3455); Kingston Public Library, 1004 Bradford Way, Kingston, TN (865-376-9905); DOE Information Center, 475 Oak Ridge Turnpike, Oak Ridge, TN (865-576-0885); and TDEC's DOE Oversight Office, 761 Emory Valley Road, Oak Ridge, TN (865-481-0995). Normal state office hours are 8:00 a.m. to 4:30 p.m. on weekdays, excluding legal holidays.

For further information, contact: Ms. Angela Ivory; Treatment, Storage and Disposal Section; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535; telephone 615-532-9267; fax 615-532-0348; or e-mail to Angela.Ivory@state.tn.us.

TDEC is committed to principles of equal opportunity, equal access, and affirmative action. Contact the EEO/AA Coordinator at 1-888-867-7455 or the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

Persons who wish to be on the Division's mailing list should request a Mailing List Request form by calling or writing: Public Participation Officer; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535 (615-532-9417); or e-mail Solid.Waste@state.tn.us.

NOTICE ISSUED: November 2, 2007